

Notice of Allowability

Application No.

09/819,509

Examiner

Courtney D. Fields

Applicant(s)

RAHMAN ET AL.

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 28 March 2006.
2. ☒ The allowed claim(s) is/are 1-22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Kenneth Nigon on June 8, 2006.

The application has been amended as follows:

Within the specification on page 10, please amend the following:

[0031] It is contemplated that the present invention may be embodied in computer program instructions that cause a computer to perform the steps of the invention. These computer program instructions may be embodied in a computer-readable carrier such as an integrated circuit, memory card, magnetic or optical disk or ~~a radio frequency or audio frequency carrier wave.~~

DETAILED ACTION

2. Claim 6 has been amended.
3. Claims 1-22 are pending.

Response to Arguments

4. Applicant's arguments filed 28 March 2006 have been fully considered and they are persuasive.

Allowable Subject Matter

5. **Claims 1-22** are allowed.

6. The following is an examiner's statement of reasons for allowance: The present invention is directed toward a computer architecture that allows secure remote access and transmission using a generalized password scheme with biometric features. Claims 1,3, and 16, identifies the uniquely distinct features **"obtaining biometric data from a user, generating a one-time password for the user, and combining the biometric data and the one-time password to form the strong password"**. Claims 3,12, and 18, identifies the uniquely distinct features **"encrypting the secure data using an encryption key to obtain encrypted data if the one-time password matches the calculated one-time password and the probability that the biometric data is from the user exceeds a predetermined threshold value, combining the strong password, the encryption key, and the encrypted data, and transmitting the combined strong password, encryption key, and the encrypted data to the user"**. The closest prior art, Baird, III et al. (Pub No. 2004/0230807) discloses an authentication method and apparatus for providing secure access to a network device or online resource for the purpose of communicating with or controlling the device or resource, wherein access to the device is gained through an authentication process during which a user password and biometrics are provided to the device, either singularly or in combination, fail to anticipate or render the above underlined limitations obvious. The closest prior art, Epstein (Pub No. 2002/0124176) discloses a biometric mechanism that preserves the integrity of the integrity of the biometric, either singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

7. Therefore, **claims 1,3,6,12, and 18** and the respective **dependent claims 2,4-5,7-11,13-17, and 19-22** are in condition for allowance.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Courtney D. Fields whose telephone number is 571-272-3871. The examiner can normally be reached on Mon - Thurs. 6:00 - 4:00 pm; off every Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CS

cf

June 8, 2006

Matthew B. Smithers
MATTHEW SMITHERS
PRIMARY EXAMINER
Art Unit 2137